

FIRST REGULAR SESSION

# SENATE BILL NO. 468

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Read 1st time February 24, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

2161S.011

## AN ACT

To repeal section 455.038, RSMo, and to enact in lieu thereof one new section relating to service of ex parte orders of protection.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 455.038, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 455.038, to read as follows:

455.038. Every circuit clerk shall be responsible for providing information  
2 to individuals petitioning for ex parte orders of protection regarding notification  
3 of service of these orders of protection. Such notification to the petitioner is  
4 required if the petitioner has registered a telephone number with the victim  
5 notification system, established under subsection 3 of section 650.310,  
6 RSMo. The petitioner shall be informed of his or her option to receive notification  
7 of service of an ex parte order of protection on the respondent by the circuit clerk  
8 and shall be provided information on how to receive notification of service of ex  
9 parte orders of protection. The local law enforcement agency or any other  
10 government agency responsible for serving ex parte orders of protection **shall**  
11 **enter service information into the Missouri Uniform Law Enforcement**  
12 **system or future secure electronic databases that are intended for law**  
13 **enforcement use only within twenty-four hours after the ex parte order**  
14 **is served on the respondent or** shall notify the circuit clerk when no more  
15 service attempts are planned by that agency. The provisions of this section shall  
16 only apply to those circuit clerks able to access a statewide victim notification  
17 system designed to provide notification of service of orders of protection.

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